S.B. Criminal Misc. Bail Application No.5934/2006

Date : 02.01.2007

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. S.S. Shaktawat for the applicants.

Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that the alleged contraband material recovered from the accused applicants is below commercial quantity and provisions of Section 37 of the NDPS Act are not attracted. He submits that no investigation is to be made from the applicants and they are in jail and trial is likely to take time, therefore, they may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me

and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I deem it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Om Prakash s/o Nathu Ram Jat (2) Deraj Ram s/o Uma Ram Jat and (3) Om singh s/o Devi Singh shall be released on bail in FIR No.186/2006 P.S. Khinvsar, District Nagaur, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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